

In the matter of proceeding MB 09-26, I make the following comments based on extensive use of the content ratings tools available (particularly the V-Chip) over the past 5 years.

- * Does the V-Chip work? Are the ratings accurate and/or applied correctly?
 - * The chip does block most content marked with ratings above the set limits
 - * Setting the chip up is very complicated for the average consumer. I am a Software Engineer, and I have had to assist several families to understand how to set the limits where they wish them to be.
 - * Many programs are not rated, or are rated blatantly incorrectly. Shows such as "Desperate Housewives" repeatedly passed a G filter, despite the obvious inclusion of content meeting the criteria for a TV-14 or even TV-MA. Other shows fail to pass a TV-PG filter, despite the lack of any content exceeding the TV-G guidelines. This consistent failure of many networks to properly rate shows results in inappropriate content passing even the most strict of filters, while the Parent is obliged to bypass the filter for many completely innocuous shows.
 - * Unrated shows routinely intrude across most networks. When content is unrated the parent must either unblock all unrated content (potentially exposing the children to inappropriate content) or manually release the content locks for each unrated show (and remember to reset the blocks, often a difficult process, when the show ends).
 - * Rated Commercials occasionally engage a block for otherwise innocuous shows. While it is very good that the commercial is rated appropriately (if it is), most v-chip implementations remain blocked after the commercial, resulting in the need to disengage the blocks or turn to another channel for several minutes to reset the scanner.
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- * Are TV commercials in need of content ratings?
 - * Some TV commercials need content ratings, some of the latest SuperBowl ads are good examples of this need. The problem arises in getting the networks and/or producers to properly rate their content. The occasional rated commercial that shows up (mostly on cable networks) is even less likely to be rated correctly than the main program.
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- * Are the various blocking and content rating schemes clear and easy to use?
 - * Most parents I know find the multiple and varying schemes very complex to follow. I have spent much time explaining just the TV vs. Movie ratings of the V-Chip system to parents while helping them set limits according to their intentions.

* Would parents prefer one system of ratings instead of separate ratings for movies, TV, video games, cell phone Web filters, etc.?

* A single well-organized and clear rating system for all, or nearly all, content would be a huge boon to my family and, I believe, other families as well. The wide variation in how ratings are presented, what the various levels mean, how detailed (or not detailed) the scheme is, and the huge array of combinations (how do you understand the rating of a TV program that shows extensive footage of a video game? Which rating is appropriate, and how does that translate between the two systems?).

* How can companies be convinced to build in effective ratings and blocking systems?

* At the current time the content industry and broadcasters are both incentivised to continue the confusing, inconsistent, and often inappropriate hash of rated, unrated, and misrated content. There is a distinct commercial advantage if more people watch content, even if that content is terribly inappropriate for some viewers. The mixed up state of ratings discourages the use of blocking filters, and ensures that even those who are diligent in their use of the blocks available, are still occasionally thwarted.

* Should cable content be regulated more closely?

* Absolutely, Cable content is the source of the largest mass of potentially inappropriate content. While much of the content available on cable can be entertaining and/or educational, the availability of extreme content such as Showtime's "Red Shoe Diaries" or the HBO/MAX "Best Sex Ever" series, along with the growing adoption of DVR devices, makes it even more important to ensure Parents have ample options available to control the content that their children have access to on cable networks. The vast number of various cable networks becoming available through "Digital Cable" offerings, and the lack of any ala-carte options in cable networks ensures that most households (if they have digital cable) have at least a few channels with content that is both inappropriate for minors, and that the parents do not even know is available. Even now most parents are unaware of the late-night "Adult" programming available on many premium channels, nor are most aware of how readily some adults or even young teens will tell even 5th and 6th grade children how to set a DVR to record those programs.

We also invite concerned citizens to comment on:

* Whether the FCC is doing a good job of enforcing laws prohibiting indecent programming between

the "safe harbor" hours of 6:00 a.m. and 10:00 p.m.

- * There is still a lot of programming that is considered indecent in many communities during those hours. Many new programs have been aggressively pushing the boundaries of indecency for some time, and the networks that support those programs span both broadcast and cable networks. Even channels that are supposedly "family friendly", such as ABC Family, are regularly stepping into areas inappropriate for young children (and even some teens) with new series and new seasons.

- * Whether the FCC should begin levying maximum fines for broadcasters that break the indecency law.

- * Anything less than the maximum fine is not likely to deter broadcasters looking at multi-million dollar bonuses from advertisers for higher ratings. Any broadcaster violating the indecency law has already done damage to some number of innocent lives, damage that cannot be undone. The fines levied for violating that law must be large enough, and sufficiently likely, to act as an effective deterrent.

- * Whether license revocations should be used against repeat indecency offenders, as is allowed by law.

- * Any broadcaster that repeatedly offends indecency laws has shows a callous disregard of the public trust, and a willingness to cause harm to millions of young children in order to derive increased profits. This attitude is incompatible with the license agreement entered into by that broadcaster, and is therefore ample cause to revoke the license.